

Message Text

LIMITED OFFICIAL USE POSS DUPE

PAGE 01 STATE 031051

13

ORIGIN L-03

INFO OCT-01 ISO-00 AF-10 JUSE-00 SCA-01 RSC-01 USIA-15

PER-05 /036 R

DRAFTED BY L/M/SCA:JABOYD:AD

APPROVED BY L/M/SCA:KEMALMBORG

PPH/LP:WHIBBS (SUBS)

AF/C:WSEIFKIN (SUBS)

AF/EX:JBRYANT (SUBS)

USIA/IGC:AVBEERNER (SUBS)

JUSTICE:BRISTAU (INFO)

----- 053576

R 151319Z FEB 74

FM SECSTATE WASHDC

TO AMEMBASSY YAOUNDE

LIMITED OFFICIAL USE STATE 031051

E.O. 11652: N/A

TAGS: AFSP, CM

SUBJECT: LOCAL LABOR RELATIONS

REF: YAOUNDE 50

1. DIRECT ANSWER TO QUESTION OF EMBASSY REGARDING LEGAL RESPONSIBILITY TO CONFORM TO LOCAL LABOR RELATIONS IS DIFFICULT WITHOUT KNOWING PRECISE NATURE OF LOCAL REGULATIONS. DEPARTMENT SUGGESTS EMBASSY CONSIDER RETAINING LOCAL LAWYER FAMILIAR WITH LOCAL LABOR LAWS, WITH STATURE IN LOCAL LEGAL COMMUNITY (YAOUNDE OR DOUALA), AND HOPEFULLY WITH ABILITY TO SPEAK ENGLISH TO SUBMIT LEGAL MEMORANDUM POINTING OUT REQUIREMENTS OF LOCAL LAW, EVIDENCE AT HAND, LIKELIHOOD OF USG PREVAILING IF CASE BROUGHT TO COURT, AND METHODS OF SETTLING MATTER WITHOUT TRIAL IN COURT OF GENERAL JURISDICTION IN YAOUNDE. IF TRIAL IS GENUINE POSSIBILITY, MEMORANDUM SHOULD FOCUS ON NATURE OF EVIDENCE WHICH WOULD HAVE TO BE SUBMITTED, WRITTEN MATERIALS (CLASSIFIED) IF ANY WHICH WOULD HAVE TO BE UTILIZED, HOW MANY USG PERSONNEL REQUIRING LIMITED OFFICIAL USE
LIMITED OFFICIAL USE

PAGE 02 STATE 031051

WAIVER OF DIPLOMATIC IMMUNITY WOULD NEED TO APPEAR, AND POSSIBLE RANGE OF LIKELY MONEY JUDGMENT AGAINST USG. AFTER

RECEIVING LEGAL MEMORANDUM, DEPARTMENT WILL ATTEMPT MORE
PRECISE ANSWER TO QUESTION OF EMBASSY RESPONSIBILITY TO
CONFORM TO LOCAL LABOR REGULATIONS.

2. IF EMBASSY DESIRES TO RETAIN ATTORNEY, DEPARTMENT
AUTHORIZES EMBASSY TO PAY FROM APPROPRIATE POST FUNDS UP
TO BUT NOT MORE THAN \$500 FOR SUCH LEGAL SERVICES. SAID
AUTHORIZATION IS FOR RESEARCH AND ADVICE BUT NOT FOR THE
INITIATION OR DEFENSE OF A LAWSUIT BY OR AGAINST THE USG.
IF LITIGATION SHOULD ARISE, ADVISE DEPARTMENT SO THAT
DEPARTMENT OF JUSTICE CAN RETAIN COUNSEL. DEPARTMENT OF
JUSTICE RETAINS THE OPTION OF HIRING COUNSEL OTHER THAN
SAID LAWYER AND DOES NOT GRANT PERMISSION FOR SAID LAWYER
TO REPRESENT USG TO OTHER PARTIES NOR TO WAIVE SOVEREIGN
IMMUNITY OF USG. AUTHORIZATION IS GRANTED PURSUANT TO
SECTION 810 OF TITLE 22 OF US CODE WHICH STATES THAT THE
SECRETARY MAY AUTHORIZE A PRINCIPAL OFFICER TO PROCURE
LEGAL SERVICES WHENEVER SUCH SERVICES ARE REQUIRED FOR THE
PROTECTION OF THE INTERESTS OF THE GOVERNMENT OR TO ENABLE
AN OFFICER OR EMPLOYEE OF THE SERVICE TO CARRY ON HIS
WORK EFFICIENTLY."

3. FEES FOR LOCAL ATTORNEY SHOULD BE ABSORBED FROM POST
FUNDS.

4. IF EMBASSY CONTEMPLATES SETTling MATTER, INFORM
AGENCY (ATTENTION IGC) REGARDING ULTIMATE DOLLAR AMOUNT
TO BE PROPOSED IN SETTLEMENT OF THIS DISPUTE. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE031051
Document Source: CORE
Document Unique ID: 00
Drafter: JABOYD:AD
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740228/aaaabany.tel
Line Count: 89
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: YAOUNDE 50
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 27 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 AUG 2002 by rowelle0>; APPROVED <04-Sep-2002 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOCAL LABOR RELATIONS
TAGS: AFSP, CM
To: YAOUNDE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005